

PLAINTIFF REQUEST AN EVIDENTIARY HEARING

UNITED STATES DISTRICT COURT FOR DISTRICT OF R.I.

Peter J. Bibby

vs.

CA# 08-333 ML.

GLENN SPARR ETAL

EXHIBIT E

PLAINTIFF'S AFFIDAVIT SUPPORTING CONSPIRACY.

By DEFENDANTS

58-USCS-1746  
THE AFFIANT Peter J. Bibby STATES THE  
FOLLOWING IS TRUE AND CORRECT PURSUANT  
TO THE PAINS OF PERJURY.

JANUARY 14, 2009

DATED ON:

Pet Bibby

SIGNED BY:

HISTORY AND TRAIL OF CIVIL ACTION FILED IN SUPERIOR  
Court Peter Bibby vs GLENN SPARR PC-07-5332.  
THE PLAINTIFF STATES THAT NOT ONLY DID GLENN  
SPARR AND JUDGE RODGERS CONSPIRE TO PROTECT  
CLERKS, BUT CLERKS ALSO CONSPIRED TO PROTECT  
GLENN SPARR, AND HERE IS HOW THEY DID IT.

I SAY THIS BECAUSE ATTACHED IS SEVERAL EXHIBITS  
THAT SUPPORT MY ALLEGATION SHOWING THAT THERE  
WAS IN FACT A CONSPIRACY, BY THE DEFENDANTS,  
TO DEPRIVE ME OF MY FEDERALLY PROTECTED RIGHTS.

AFFIDAVIT  
J8USCS-1746

ON OCT, 2007, PLAINTIFF FILED A LEGAL MAL-  
PRACTICE SUIT AGAINST THE DEFENDANT GLENN SPARR  
THE COMPLAINT WAS FILED AND PAID FOR FROM PROCEEDS IN  
WHICH THE PLAINTIFF HAD HELD BY COURT FROM  
BAIL IN 2004. THE WITHIN MOTION WAS FILED ON  
7/28/2008, THIS OBJECTION WAS AGAINST THE DEFENDANT'S  
MOTION TO DISMISS, UNDER RULE 4(R) NO SERVICE  
WITHIN 120 DAYS. THE PLAINTIFF REQUESTED GLENN  
SPARR TO WAIVE SERVICE, GLENN SPARR NEVER  
RESPONDED AFTER 3 REQUESTS, THE ATTACHED OBJECTION  
SHOW A LIST OF MY ATTEMPTS TO PERFECT SERVICE.  
GLENN SPARR KNEW THAT AS OFFICER OF COURT  
HE OWES A DUTY TO SAVE THE COSTS OF SERVING.  
JUDICIAL PROCESS, RULE 4d(2) STATES THAT IF  
A PERSON IS ASKED BY PLAINTIFF AND FAILS TO  
RESPOND, THE PLAINTIFF HAS A RIGHT TO REQUEST  
THE COSTS ASSOCIATED WITH COLLECTING AND  
PROCESSING A MOTION TO PERFECT SERVICE UNDER  
4(d)(5). I THEN FILED A MOTION WITH ALL  
THE PARTYS INVOLVED, THE COURT, GLENN SPARR  
AND OLENN + PERZA NEVER OBJECTED, NOR DID  
THE COURT ENTER EITHER MY OBJECTION AND MOTION  
FOR COSTS ON Docket, SHEET. I PROVIDED RECEIPT  
OF MAILING FROM D.O.C. AND MINNESOTA CERTIFICATION  
TO COURT THAT THE DEFENDANTS AND THEIR ATTORNEY  
RECEIVED THE OBJECTION AND MY MOTION FOR COSTS.  
THE COURT THEN FAILS TO BRING ME TO COURT  
TO ANSWER MY OBJECTION AND MOTION, AND

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DISMISSED my CASE, I subsequently filed a Rule 60(b) motion for REHEARING AND RESTITUTION REQUESTING OML ARGUMENT, A Rule 62(B) TO STAY operation of JUDGEMENT, WITH A TIMELY NOTICE OF APPEAL, REQUESTING TRANSCRIPTS, CORRECTION PAPERS STATUS, IN SUPERIOR COURT THE PLAINTIFF STAYED THIS CASE BECAUSE THOSE RODGER RULED THAT THEY WOULD NOT ASSIGN ANY OF MY MOTIONS. I WAS DENIED <sup>CLERKS</sup> EQUAL PROTECTION, BY ASSIGNING DEFENDANTS MOTION AND NOT BRINGING ME TO ARGUE MY OBJECTION THIS IS A CONSTITUTIONAL VIOLATION OF MY RIGHTS, TO ADDRESS MY ISSUES. THE STATE COURTS INTEGRAL ACTS HAVE DENIED ME (ACCESS TO COURTS) THAN THEIR ACTIONS. STATE COURT HAS MANIPULATED MY FEELINGS, WHEN THE SUPERIOR COURT CLERKS NEVER ENTERED MY OBJECTION ON DOCKET SHEET, GLENN SPARR DID NOT KNOW AND THAT IS THE REASON I OBTAINED ENTRY OF DEFECT AGAIN GLENN SPARR BECAUSE HE CONSPIRED WITH CLERKS TO NOT FILE MY PAPERS. WHEN DEFECT WAS TAKEN HE THEN MOVED FOR DISMISSAL WHEN CASE WAS STAYED, AND ALLOWED TO ASSIGN HIS MOTION SUPERIOR COURT DENIED MY OML ARGUMENT WHEN THIS COURT LOOKS AT MY ATTEMPTS TO <sup>SERVE</sup> GLENN SPARR, YOU WILL SEE THAT I WAS MORE THAN DILIGENT THE CORRECT Ruling BY JUDGE SHOULD HAVE BEEN TO APPROVE my motion for COSTS DUE TO GLENN SPARRS LACK OF DILIGENCE. THE DENIED RIGHT TO REQUEST HIS ISSUES WERE MANIPULATED BY CLERKS IN THEIR FAILURE TO FILE MY MOTIONS AND OBJECTIONS, AND GIVE TO JUDGE FIRST.

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Pat J. Pihl, Pro Se

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Here your Honor, TAKE SPECIAL NOTE TO ATTACHED DOCKET SHEET YOU WILL NOTICE MY OBJECTION WAS NOT ENTERED ON DOCKET SHEET NOR MY MOTION FOR COSTS, NOW IF IT PLEASES THE COURT PLEASE BELIEVES, THAT GLENN SPANNA DID NOT RESPOND TO MOTION FOR COSTS WITH OBJECTION FOR ONE REASON, THE ONLY LOGICAL EXPLANATION IS THE DEFENDANT CLEAH AND GLENN SPANNA AGREED THAT CONSPIRACY, AND THAT IS THE REASON THEY NEVER OBTAINS, OR CLEAH'S NEVER DOCKETED MY OBJECTION OR MOTION BECAUSE THEY HAD AN AGREEMENT <sup>THIS ALSO CONFIRMS JUDGE HEART'S REASON FOR</sup> IN AND THIS YOUR HONOR IS <sup>DO CERTIFICATE TO DEPT. WHEN LETTER</sup> CONSPIRACY, AND THIS YOUR HONOR IS HOW GLENN SPANNA IS CONNECTED UNDER COLOR OF STATE LAW VIOLATING HIM TO THIS COMPLAINT FOR A CIVIL RIGHTS VIOLATION. I BELIEVE YOUR HONOR I HAVE PROVED, AND STATED SUFFICIENT FACTS TO SUPPORT THE FACT THAT THERE WAS A CONSPIRACY. AND THE REASON JUDGE HEART DID <sup>NOT</sup> GRANT A JUDGMENT FOR ME IN SUPREMACY COURT IS BECAUSE SHE DID NOT SEE MY OBJECTION OR MOTION.

AS SHE IMPLIED MY PAPERS DID NOT SAY IF GLENN RECEIVED A COPY OF MY OBJECTION. OR IF I MAILED IT TO GLENN  
JANUARY 14, 2009  
Pat Spilly

SUPPORTING EVIDENCE  
ATTACHMENTS: AND

- ① Doc Receipt of mailing to DEFENDANTS 7/28/2008
- ② Docket entry sheets showing NO entry of my filing for motion for costs AND OBJECTION TO DEFT MOTION TO DISMISS. (SEE NOTE ON DOCKET SHEET BY ME)
- ③ JUDGE HEART CONFIRMATION THAT I DID NOT MAIL MY PAPERS TO DEFENDANTS, AND MY 1110 LETTER TO JUDGE HEART.

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